

REGULAR MEETING of the Town Council held on Wednesday, July 28, 2004 at 7:00 o'clock P.M. in the Auditorium of the Burrillville High School, 425 East Avenue, Harrisville, RI.

MEMBERS PRESENT: Council President Wallace F. Lees; Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

MEMBERS ABSENT: None

1. Council President Wallace F. Lees led those present in pledging allegiance to the flag.
2. **VOTED** to accept the minutes of the regular meeting held June 23, 2004, the public hearings held June 23 and June 30, 2004, and the special meetings held June 30, July 3 and July 14, 2004; and dispense with the reading of said minutes.

Motion by Councilor Louis Bleiweis. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

3. Public Comment:

Kevin Blais approached the podium. Council President Wallace F. Lees asked whether he intended to speak relative to the junked car ordinance and asked Mr. Blais to hold his comments until the item came up on the agenda.

Newt Stevens of Pascoag mentioned the junked vehicle ordinance, which he said he would discuss later. Mr. Stevens stated that the ordinance had created tension throughout town and particularly between Mr. Blais and the Town Manager. Mr. Stevens objected to the Town Manager's conduct at an earlier meeting and suggested that action should be taken.

4. General Good and Welfare of the Town of Burrillville: None

5. Petitions: None

6. Special Business:

- 04-216 **VOTED** to adopt a proclamation in observance of National Deaf Awareness Week during the third week of September 2004.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

- 04-217 **VOTED** to grant a Victualing License to Calvary Episcopal Church for outside Sunday Brunches to be held at 158 Broad St., Pascoag on August 15, 2004 and September 12, 2004.

Motion by Councilor Louis Bleiweis. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors

Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-218 **VOTED** to grant a Private Detective License to Richard D. Cardin d/b/a RDC Investigations, 625 East Avenue, Harrisville.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Louis Bleiweis. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor William A. Andrews confirmed that the Chief of Police had reviewed the application.

7. Unfinished Business:

02-82 **VOTED** to open the resolution relative to submitting a question to the electors of the Town authorizing the Town of Burrillville to Finance the Construction, Equipping and Furnishing of a Town Library and To Issue Not More than \$5,000,000 Bonds therefore.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn stated that this action was necessary to include the question on the November 2004 ballot.

VOTED to adopt the resolution relative to submitting a question to the electors, as follows:

**RESOLUTION OF THE
BURRILLVILLE TOWN COUNCIL**

WHEREAS, the 2002 session of the Rhode Island General Assembly enacted legislation "Authorizing The Town of Burrillville To Finance The Construction, Equipping and Furnishing of a Town Library and To Issue Not More Than \$5,000,000 Bonds Therefore"; and

WHEREAS, the legislation is subject to the approval of the electors of the Town of Burrillville at an election to be held on a date to be determined by the town council, such date to be not later than November 30, 2004.

NOW, THEREFORE, the town council requests the Secretary of State to submit the following question to the electors of the Town of Burrillville at the General Election to be held on November 2, 2004:

"Shall an act passed at the 2002 session of the general assembly entitled, 'An Act Authorizing the Town of Burrillville To Finance The Construction, Equipping and Furnishing of a Town Library and To Issue Not More Than \$5,000,000.00 Bonds Therefore' be approved?"

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Louis Bleiweis. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

- 04-138 **VOTED** to open a resolution relative to submitting a question to the electors of the Town authorizing the Town of Burrillville to Finance the Construction, Equipping and Furnishing of an addition to, and remodeling, reconstruction and making extraordinary repairs to the W.L. Callahan Elementary School and to issue not more than \$7,500,000 bonds therefore.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn said that, in keeping with earlier discussion, she hoped that this question would be scheduled for a special election after the November 2004 general election. Councilor Zahn discussed the many questions already included on the ballot. Councilor Zahn suggested a March 2005 special election. Council President Lees concurred, asking whether Michael C. Wood, Town Manager, had further input. Mr. Wood stated that there was no substantive information available to present for the voters' review and consideration. Mr. Wood suggested that the Council move forward with their plans to meet with the School Committee, further develop a renovation program, and consider presenting the question to the voters at a special election.

VOTED to continue this, at the call of the Chair.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

- 04-181 **VOTED** to refer to the ordinance subcommittee, an act of the general assembly relative to §44-3-56, which provides that the Town Council may by ordinance provide an exemption from valuation for taxation to the Columbus Club of Burrillville.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

8. New Business:

- 04-219 Correspondence from Jacqueline Zahn, Chairwoman of the Screening Subcommittee, regarding the following subcommittee's recommendations:

VOTED to reappoint Brigitte Buxton to the Budget Board for a three-year term to expire on June 30, 2007.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

VOTED not to reappoint Bruce Rylah to the Budget Board,

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, and Ronald E. Faford. Voting in opposition was Councilor William E. Gonyea.

VOTED to reappoint John Cowles to the Sewer Commission for a three-year term to expire on June 30, 2007.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

VOTED to officially dismiss the Charter Review Commission with thanks for all their work.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

VOTED To officially dismiss the Library Facilities Committee with thanks for all their work.

Motion by Councilor William A. Andrews. Seconded by Councilor Edward F. Bonczek. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

VOTED to officially dismiss the Special Building Committee with thanks for all their work.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-220 **VOTED** to refer to the Screening Subcommittee the application from Steve Rawson for reappointment to the Conservation Commission.

Motion by Councilor William E. Gonyea. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-221 **VOTED** to refer to the screening subcommittee the application from Melanie Ruggieri for reappointment to the Jesse Smith Library Board of Trustees.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-222 **VOTED** to open the correspondence from Michael C. Wood, Town Manager, regarding his recommendation to award a contract for professional services for the Town Library; and to appoint certain individuals as liaisons between the Town and the Architect.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor William A. Andrews briefly reviewed the process used by the committee to choose the architectural firm for the project. Michael C. Wood, Town Manager, explained that the full \$351,350 would not proceed unless the voters approved the bond issue. He briefly described the phases. Mr. Wood asked that the members of the committee be appointed as liaisons between the Town and the architect, due to the short amount of time remaining before placing this question before the voters. He also said that Raymond Menard has indicated he would be unable to work on this committee.

VOTED to award a contract for professional services for the Town Library in the amount of \$346,350, plus \$5,000 in expenses, totaling \$351,350, to the Newport Collaborative Architects, Inc., 333 Westminster Street, Providence, RI 02903; and to authorize the Town Manager to execute the contract on behalf of the Town; and that the following people be appointed as liaisons between the Town and the architect: William Andrews, David Ketcham, Sandra Mundy, G. Wayne Miller, Richard Bernardo and Michael Wood.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Further Discussion: Councilor Jacqueline Zahn indicated that the Screening Subcommittee would review applications on-hand to fill Mr. Menard's position.

04-223 Correspondence from Michael C. Wood, Town Manager, regarding his request for direction from the Town Council relative to revaluation - errors and omissions.

Councilor William A. Andrews recused himself from discussion of this item.

VOTED to open item #04-223 relative to revaluation - errors and omissions.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Edward F. Bonczek. The motion carried, six in favor, one refusal. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews recused.

Discussion: Michael C. Wood, Town Manager, briefly described this issue. The state law, he said, provides for the Town to collect six years back taxes on incorrect assessments. Mr. Wood discussed two

possibilities where a property might be under-assessed. In the first, a property owner may have improved their property without securing a building permit, resulting in the property being assessed at less than its value. The second instance, he said, arises when the town's administration is responsible for an omission. Mr. Wood asked that the Town Council consider whether they would prefer to treat the two situations differently, allowing for collection of less tax when the Town has made the error. Mr. Wood provided guidelines from Massachusetts for the Town Council's consideration and asked for direction from the Town Council.

Councilor Edward F. Bonczek explained that the state law does not address intent, but provides that back taxes would be payable regardless of the reason that the property was undervalued. Councilor Bonczek suggested that the Massachusetts law properly addresses the issue. He pointed out that the Town Council had met in workshop session and tentatively agreed on a compromise situation.

MOTION to direct the administration to use the Massachusetts law as a framework for a policy for assessing that property.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Edward F. Bonczek.

Further discussion: Council President Wallace F. Lees asked whether Councilor Zahn would prefer to refer the matter to the ordinance subcommittee.

Councilor Zahn withdrew the motion.

VOTED to refer to the ordinance subcommittee.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Edward F. Bonczek. The motion carried, six in favor, one refusal. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea. Councilor William A. Andrews refused.

04-224 **VOTED** to receive and open the correspondence from Michael C. Wood, Town Manager, regarding retiree supplemental health insurance - Plan 65.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Michael C. Wood, Town Manager, explained that when town employees retire and are eligible for Medicare/Medicaid coverage, there are supplemental Blue Cross plans that the retiree can purchase. Mr. Wood asked the Town Council to consider endorsing *Plan 65*. The retiree would pay for the insurance, he said, but the endorsement affords a better price and provides an optional prescription drug benefit. Mr. Wood said there would be no financial obligation by the Town and there would be no impact on the rate the Town receives.

Councilor Edward F. Bonczek asked whether the retiree would have a choice to participate or not, since his research indicates that there might be better plans. Mr. Wood said that the plan would be optional and the Town's endorsement would not affect the retirees' other options, i.e., they could enroll in a different plan.

Peggy Dudley of Harrisville supported the idea, but suggested that the Town Council should stipulate that if at any time *Plan 65* impacts the rates that the Town receives for full time employees, the Town would cease its sponsorship. Ray Capizzoli of Wallum Lake Road asked whether the Town had researched better plans and lower rates for the coverage provided to the full time employees. Ethel Merrill of Pascoag suggested that the bookkeeping involved in this endorsement would be a burden on the Town. These matters were briefly discussed.

VOTED to pass a resolution to sponsor the Blue Cross/Blue Shield Plan 65 (Medicare Supplement), to authorize the Town Manager to notify Blue Cross/Blue Shield, and to get a letter that if at any time *Plan 65* impacts the rates that the Town receives for full time employees, the Town would cease its sponsorship.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-225 **VOTED** to open the correspondence from Michael C. Wood, Town Manager, regarding Charter Revision Recommendations.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Councilor Jacqueline Zahn commented that the questions, as presented by the Town Solicitor, were very reader-friendly. She thanked and commended Walter J. Kane, Town Solicitor, for his efforts.

VOTED to receive and file.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-226 **VOTED** to adopt the resolution regarding approval of proposed changes to the charter, approval of questions to be submitted to the voters, to be sent to the Secretary of State for the next general election, as follows:

***RESOLUTION OF THE
BURRILLVILLE TOWN COUNCIL***

RESOLVED that the attached changes in the provisions of the Burrillville Home Rule Charter be approved by the Town Council and submitted to the voters of the Town at the next general election. That the changes be submitted to the electors be set forth in the attached document.

FURTHER RESOLVED that the Town Clerk certify a copy of this Resolution and the questions approved to the Secretary of State's Office.

The effective date of any changes in the Charter to be January 1, 2005.

PASSED as a Resolution of the Town Council this 28th day of July 2004.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-227 **VOTED** to open the proposed Junked or Abandoned Motor Vehicle(s), Motorized Equipment and Vehicle Parts ordinance.

Motion by Councilor William E. Gonyea. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Councilor William E. Gonyea read the following statement for the record:

Mr. President,

Two public hearings in a row the overwhelming majority expressed their ... saying. How many times in a row do we have to come back and where are the proponents? Upon my motion at the last hearing, stating that, in my opinion, that this ordinance is nothing more than snob rule under police state law and throw it out, I received a standing ovation. In response, Mr. Bonczek made a passionate statement, saying in his own words, that we are not a democracy but a representative republic, to which I strongly disagree. However, my motion failed and Mr. Bonczek convinced the majority of this council to again send the proposed junk car ordinance back to the ordinance committee for reconsideration. Once again, and in my opinion, I still believe that this amended version is still nothing more than snob rule under police state law and further makes a mockery of public hearings and what democracy is all about.

Motion to reject.

There was no second to the motion.

VOTED to pass the ordinance as written.

Motion by Councilor William A. Andrews. Seconded by Councilors Jacqueline Zahn and Ronald E. Faford. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, and Ronald E. Faford. Councilor William E. Gonyea voted in opposition.

Discussion: Council President Wallace F. Lees asked the public to limit their comments to three minutes per person and one chance to speak per person.

VOTED to amend the motion, to change Section 5; the penalty of violation of this ordinance, now it would be looked at as a last resort penalty. The penalty for violation would read as follows: the penalty of violation of this ordinance shall be \$15.00 per day for the issuance - from the issuance (excuse me) of a notice of violation. In other words, that's the very last event that would take place if all the previous attempts to address the issue failed. So, it would say that, from the issuance of the notice of violation until such time as the violation ceases to exist.

Motion by Councilor Edward F. Bonczek. Seconded by Councilor William A. Andrews. The motion carried, six in favor, one opposed. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, and Ronald E. Faford. Councilor William E. Gonyea voted in opposition.

Kevin Blais of Tarkiln Road spoke in opposition to the proposed ordinance, suggesting that there was no evidence that there have been substantial complaints and that the State law is effectively and efficiently enforced. Mr. Blais stated his opinion that the State law is less restrictive than the proposed ordinance. Mr. Blais discussed the many meetings which residents had attended to oppose the proposal and pointed out that proponents of the ordinance had not spoken in favor of the ordinance.

Kevin Blais of Tarkiln Road asked the Town Council to explain why the proposed ordinance was necessary. Councilor Andrews said that while it may be difficult to register a formal complaint against a neighbor, the problem of junked or abandoned vehicles exists and should be addressed. The purpose of the ordinance, he said, is to present a better, cleaner Burrillville. There was a brief discussion of whether the proposed ordinance could be placed on an election ballot. Councilor Andrews discussed the possibility, pointing out that it is the Town Council's responsibility to represent all the residents and that the Council members have spoken to many people on both sides of the issue and would make the best, most fair decision for all residents.

Kevin Blais of Tarkiln Road asked the Town Council to explain why the proposed ordinance was necessary, and said that he had several other questions for the Town Council. Council President Wallace F. Lees explained that opinions of any one Councilor would not signify a consensus of the Council. The Town Solicitor, he said, would address legal questions. Mr. Blais asked whether the Town Council members, when they receive individual complaints, direct the complainant to contact the police department.

Councilor Jacqueline Zahn said that she supported the ordinance. After listening to people over a long period, she said that there is a need for the ordinance and she was prepared to vote in favor of the ordinance. Mr. Blais objected to a decision being made without residents' questions being heard.

Council President Wallace F. Lees indicated that Mr. Blais had exceeded the three-minute limit and asked that he allow another speaker. There was some objection from the audience.

Councilor Jacqueline Zahn moved the question. Council President Wallace F. Lees indicated that he would take a vote and asked Councilor William A. Andrews to repeat his motion. Councilor Andrews stated that the motion was to adopt the ordinance as proposed.

Kevin Blais of Tarkiln Road began to speak and was told by Council President Wallace F. Lees that there would be no further discussion. There was objection from the audience.

9. Town Clerk/Communication:

04-228 **VOTED** to open discussion of a motion to authorize the Town Manager to sign a Central Voter Registration System Agreement with the Secretary of State, subject to resolution of several questions.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: The town clerk briefly explained that the agreement covered equipment provided by the State for use with central (Statewide) voter registration.

VOTED to authorize the Town Manager to sign the agreement after the Clerk's questions have been resolved.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William A. Andrews. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-229 **VOTED** to receive and file a discharge of mortgage from the Lambert Family Partnership.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-230 **VOTED** to receive and open the correspondence from the Raymond D. George, Burrillville Sewer Commission, regarding bids received on Contract 19A and Contract 19B.

Motion by Councilor William A. Andrews. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

Discussion: Walter J. Kane, Town Solicitor, explained that the Sewer Commission received bids on contract 19A and 19B, but that the bids were approximately fifty-five percent higher than anticipated. The Commission, he said, is in the process of reviewing the bids with their engineers and is requesting that they consider alternative approaches to get the projects within the funding limits. Mr. Kane provided details of possible alternatives. The matter was briefly discussed.

VOTED to receive and file.

Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-231 **VOTED** to receive and file a resolution of the Jamestown Town Council, opposing legislation that would allow a new casino gambling facility.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

04-232 **VOTED** to receive and file a resolution of the Jamestown Town Council, opposing the construction of the LNG terminal in Fall River, MA.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor Louis Bleiweis. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

- 04-233 **VOTED** to receive and file a resolution of the New Shoreham Town Council opposing legislation that would allow a new casino gambling facility.

Motion by Councilor William E. Gonyea. Seconded by Councilor Jacqueline Zahn. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

- 04-234 **VOTED** to receive and file the correspondence from The Peace Abbey regarding Stonewalk 2004, which will pass through Burrillville on August 5, 2004.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

10. VOTED to receive and file the following reports:

1. Town Treasurer: June 2004
2. Burrillville Sewer Commission: Report for June 2004 & Meeting of June 8, 2004
3. Tax Collector: June 2004
4. Department of Public Works: No report
5. Chief of Police: June 2004
6. Office of Building Official: June 2004
7. Animal Control Officer: June 2004
8. Burrillville Housing Authority:
9. Planning Board: Meeting of June 7, 2004
10. Zoning Board of Review: No report
11. Town Planner: No report
12. Parks and Recreation Department: July 2004
13. Information Systems Department: July 2004
14. Burrillville Conservation Commission: No report
15. Juvenile Hearing Board: No report
16. Ordinance Subcommittee: No report
17. Redevelopment Agency: No report
18. Route 102 Study Commission: No report
19. BOSAP: June 2004
20. Personnel Board: Meeting of May 17, 2004
21. Screening Subcommittee: No report
22. Downtown Pascoag and Neighborhood Association: No report
23. Budget Board: No report

11. Additional New Business:

- 04-235 Request for Executive Session from Town Manager Michael C. Wood pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(5)] for discussions or considerations

related to collective bargaining with IBPO, Local 369 and [§42-46-5 (a)(2)] for discussions pertaining to current and pending litigation.

NOTE: The request for executive session was withdrawn.

12. VOTED to adjourn at 8:10 P.M.

Motion by Councilor Jacqueline Zahn. Seconded by Councilor William E. Gonyea. The motion was unanimous. Voting in favor of the motion were Council President Wallace F. Lees, Councilors Jacqueline Zahn, William A. Andrews, Louis Bleiweis, Edward F. Bonczek, Ronald E. Faford and William E. Gonyea.

The meeting was taped. The tape is on file with the minutes.

Louise R. Phaneuf, Town Clerk